

REMARKS

In light of the foregoing remarks and amendments reconsideration and withdrawal of the objections and the rejections set forth in the Office Action dated June 13, 2005 are respectfully requested.

Claims 11-30 and 41-60 were pending in this application at the time the present Office Action was mailed. In an Office Action mailed 4/19/2005, regarding restriction requirements, claims 11-30 and 41-60 made up the entire Group 1 presented by the Examiner; however, because of an oversight that the undersigned did not notice either, claims 31-40 were missing from all Groups. Therefore, considering the fact that claims 31-40 are also drawn to a spread spectrum system, the undersigned assumes that they have been a part of Group 1 election and, consequently, are a part of the pending claims of the present Office Action.

In this response, claims 11-31 and 33-60 have been amended; accordingly, claims 11-60 are now pending. In the Office Action, the Examiner objected to claims 11, 21, 41, and 51, and rejected claims 11-30 and 41-60. (Please note that the undersigned has considered the Examiner's objections and rejections applicable to claims 31-40 as well.) More particularly, the status of the application in light of this Office action is as follows:

Claims 11, 21, 41, and 51 are objected to because of the informalities and appropriate corrections are required.

Claims 41-60 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with enablement requirement.

Claims 41-60 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11-30 and 41-60 are rejected under nonstatutory double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,359,923.

Response to the Objection to claims 11, 21, 41, and 51

Claims 11, 21, 41, and 51 are objected to because of the informalities, namely the recitation of "the said". Claims 11, 21, 41, and 51 are hereby amended to change "the said" to "the". For clarity, all claims have been amended to change "said" to "the".

Response to Section 112 First Paragraph Rejection of Claims 41-60

Claims 41-60 are rejected under 35 U.S.C. §112, first paragraph. In particular, claims 41 and 51 are rejected based on the assertion that the specific claimed limitation "the first propagation direction and the reverse [propagation] direction" has no support in the specification. The undersigned respectfully brings to the Examiner's attention that "propagation" and "transmission" are effectively synonyms in this context, and both forward transmission and reverse transmission are defined, e.g., in the first paragraph of page 41 and shown in Figure 26 of the application as filed.

Claims 42-50 and 52-60 depend from claims 41 and 51, respectively, and accordingly include the features of claims 41 and 51. Accordingly, the Section 112 first

paragraph rejection of claims 41-60 should be withdrawn. (The above comments apply equally to claims 31-40.)

Response to Section 112 Second Paragraph Rejection of Claims 41-60

Claims 41-60 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claims 41 and 51 are rejected based on the fact that recitation of "the reverse propagation direction" lacks antecedent basis. Claims 41 and 51 are hereby further amended to recite "a reverse propagation direction." (Claim 31 has been similarly amended.)

Claims 42-50 and 52-60 depend from claims 41 and 51, respectively, and accordingly include the features of claims 41 and 51. Therefore, the Section 112 second paragraph rejection of claims 41-60 should be withdrawn. (The above comments apply equally to claims 31-40.)

Response to Nonstatutory Double Patenting of Claims 11-30 and 41-60

Claims 11-30 and 41-60 are rejected based on nonstatutory, judicially created doctrine of, double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,359,923. The enclosed terminal disclaimer overcomes the nonstatutory double patenting rejection, and applies equally to claims 31-40. Thereby, claims 11-60 are in condition for allowance. The undersigned files this terminal disclaimer to expedite allowance of the pending claims without expressly or impliedly admitting that the pending claims are in fact unpatentable over the claims of issued U.S. Patent No. 6,359,923.

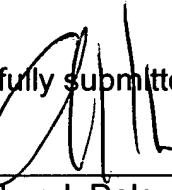
Conclusion

In view of the foregoing, all of the claims pending in the application are in condition for allowance and, therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3599.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 101948023US21 from which the undersigned is authorized to draw.

Dated: September 6, 2005

Respectfully submitted,

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